

MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS

MINUTES

JULY 27, 2023

HYATT PLACE, 1016 HIGHLAND COLONY PARKWAY, RIDGELAND, MS 39157

In Accordance with MISS. CODE ANN. § 25-41-11 (1)

I. CALL TO ORDER

Dr. Allen called the meeting to order at 8:43 a.m.

INTRODUCTION OF EXECUTIVE SECRETARY YVONNE LAIRD

Yvonne Laird provided an overview of her experience with Mississippi regulatory boards and the operation management capabilities of J-Bar and Associates, Inc.

INTRODUCTION OF FELICIA F. KING, D.C., new board member representing the Second Congressional District, vice Michael R. Patterson, D.C. and appointed for the remainder of a five-year term effective July 1, 2023 and ending April 20, 2024 subject to the advice and consent of the Senate. Dr. King provided an overview of her career as a practicing licensee.

II. ROLL CALL

Yvonne Laird provided a roll call with the following present.

David Allen, D.C., Chairman	Desmond Hoda, D.C., Vice-Chairperson
B. Tripp Henderson, D.C.	Felicia F. King, D.C.
S. Neely Berry, D.C.	Mary Gayle Armstrong, M.D.

A quorum was present for voting purposes.

Others present were:

Catherine Bell, Special Assistant Attorney General / Counsel for the Board
Yvonne Laird, Executive Secretary
Debbie Moore, D.C. – Moore Chiropractic Clinic
Andy Noel, ProsonlTech
Kim Turner, Special Assistant Attorney General – State Agency Division
Vickie Webb, Executive Director – Mississippi Chiropractic Association
Willie Webb, Contract employee

III. APPROVAL OF:

THE AGENDA

The motion was made by Dr. Henderson to approve the Agenda as submitted.
Dr. Hoda provided a second. The vote was, as follows:

Aye - David Allen, D.C.	Aye - Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye - Mary Gayle Armstrong, M.D.

THE MINUTES OF JANUARY 26, 2023, MARCH 9, 2023, MARCH 23, 2023
and JULY 12, 2023

The motion was made by Dr. Henderson to approve the minutes as presented.

Dr. Hoda provided a second. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

IV. ELECTION OF OFFICERS

Motion made by Dr. Hoda to nominate Dr. Allen as Chairman. Dr. Armstrong provided a second. Dr. Armstrong made the motion that the nomination for Chairman be closed. Dr. Henderson provided a second. The vote was, as follows to elect Dr. Allen as Chairman:

Recused - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

Motion made by Dr. Henderson to nominate Dr. Hoda as Vice-Chairman. Dr. Berry provided a second. Dr. Armstrong made the motion that the nomination for Vice-Chairman be closed. Dr. Henderson provided a second. The vote was, as follows to elect Dr. Hoda as Vice-Chairman:

Aye - David Allen, D.C.	Recused -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

Committee Assignments were made, as follows:

Continuing Education – Dr. King
Rules and Regulations – Dr. Hoda
Examination – Dr. Berry
Legislation – Dr. Henderson

V. FINANCIAL REPORT

A. FISCAL YEAR END REPORT

Dr. Hoda made the motion to accept the following financial report. Dr. King provided a second.

YTD FY2023 Expenses	\$100,479.20
YTD FY2023 Revenue	\$128,686.00
Cash in State Treasury	\$320,590.50
Appropriations FY 2023	\$106,461.00
Under / Over Budget	\$ 5,981.80 (Under)

The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

B. FY2025 PROPOSED BUDGET, *DRAFT*

The motion was made by Dr. Henderson to approve the FY2025 budget in the amount of \$106,461.00 (level funding). A second was provided by Dr. Armstrong. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

C. APPROVAL OF THE EXPENDITURES

After review and discussion, the motion was made by Dr. Henderson, with a second by Dr. King, to approve the FY2023 expenses for Cornerstone Consulting Group, and FY2024 database management expense of ProsonlTech, and July timesheet of Dr. Willie Webb. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

VI. REPORT OF OFFICERS

A. CHAIRMAN

Dr. Allen had no report.

B. VICE-CHAIRPERSON

Dr. Hoda had no report.

VII. COMMITTEE REPORTS

A. CONTINUING EDUCATION

The motion was made by Dr. Henderson with a second by Mary Armstrong to approve the MCA seminar for continuing education hours which is scheduled for October 15 and 16, 2023. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

B. RULES AND REGULATIONS

Dr. Hoda had no report.

C. EXAMINATION

Dr. Berry advised that six (6) individuals had taken and passed the MSBCE jurisprudence examination and made the motion was made grant licensure to the following applicants:

Bradley Ian Fraser	Hannah L. Ball
Brett A. Guthrie	Kyle P. Cobb
Adam W. Jackson	Trevene Cowan

A second was provided by Dr. Henderson. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

D. LEGISLATION

Dr. Henderson had no report.

The motion was made by Dr. Henderson to accept the committee reports. Dr. Armstrong provided a second. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

VIII. REPORT BY COUNSEL

A. REVISIONS TO RULES AND REGULATIONS

Catherine Bell indicated that she was revising the current rules to bring them in line with statute and the current procedures in Board operations. A draft will be available prior to the October, 2023 meeting for review and discussion. No board action required at this time.

CLOSED DETERMINATION / EXECUTIVE SESSION

A motion was made by Dr. Hoda to go into a closed session to determine whether an Executive Session was needed. . The vote was, as follows: voting for: Dr. Allen, Dr. Hoda, Dr. Henderson, Dr. King, Dr. Berry and Dr. Armstrong; voting against: none.

A motion was made by Dr. Henderson, seconded by Dr. Hoda, that the Board had reason under § 25-41-7 (d) investigative proceedings regarding allegations of misconduct or violation of law. The motion carried with the following vote: voting for: Dr. Allen, Dr. Hoda, Dr. Henderson, Dr. King, Dr. Berry and Dr. Armstrong; voting against: none.

Within Executive Session the following action was taken:

IX. COMPLAINTS / EXECUTIVE SESSION

A.

The motion was made by Dr. Henderson to dismiss the following complaints as they were incomplete as of this meeting. Complaint 2022-66; 2022-67; 2022-71; 2022-72; 2022-73; 2022-74; 2022-75; 2022-79; 2022-81; and 2022-86. A second was provided by Dr. Hoda. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

Dr. Berry made the motion to table complaint 2022-91 and 2022-92 due to compliance of a previous board ruling. A second was provided by Dr. Henderson. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

Based upon the recommendation of Dr. Berry, Dr. Armstrong made the motion to dismiss complaint 2023-1. A second was provided by Dr. King. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.

Aye - S. Neely Berry, D.C. Aye -Mary Gayle Armstrong, M.D.
Based upon the recommendation of Dr. Henderson, Dr. Hoda made the motion to remand to File (expired; not practicing) complaint 2023-2. Dr. Berry provided a second. The vote was, as follows:

Aye - David Allen, D.C. Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C. Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C. Aye -Mary Gayle Armstrong, M.D.

Dr. Henderson made a motion to exit Executive Session and return to Open Session. The second was provided by Dr. King. The vote was, as follows: voting for: Dr. Allen, Dr. Hoda, Dr. Henderson, Dr. King, Dr. Berry and Dr. Armstrong; voting against: none.

CLOSED DETERMINATION / EXECUTIVE SESSION

A motion was made by Dr. Hoda to go into a closed session to determine whether an Executive Session was needed. The vote was, as follows: voting for: Dr. Allen, Dr. Hoda, Dr. Henderson, Dr. King, Dr. Berry and Dr. Armstrong; voting against: none.

A motion was made by Dr. Henderson, seconded by Dr. Hoda, that the Board had reason under MISS. CODE ANN. § 25-41-7 (i) transaction of business and discussions concerning the preparation of tests for admission to practice in recognized professions. The motion carried with the following vote: voting for: Dr. Allen, Dr. Hoda, Dr. Henderson, Dr. King, Dr. Berry and Dr. Armstrong; voting against: none.

In Executive Session, the following action was taken:

The motion was made by Dr. Henderson to approve the revision to the jurisprudence examination. A second was provided by Dr. Armstrong. The vote was, as follows:

Aye - David Allen, D.C. Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C. Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C. Aye -Mary Gayle Armstrong, M.D.

Dr. Henderson made a motion to exit Executive Session and return to Open Session. The second was provided by Dr. King. The vote was, as follows: voting for: Dr. Allen, Dr. Hoda, Dr. Henderson, Dr. King, Dr. Berry and Dr. Armstrong; voting against: none.

X. OLD BUSINESS

Dr. Henderson advised that he had received a grant for attendance at the District 5 meeting of the Federation of Chiropractic Licensing Boards to be held in Boston, Massachusetts, September 21-24, 2023. The motion was made by Dr. Hoda that should monies be available (approximately \$2,000 each for three (3) attending board members = \$6,000) the board would authorize their expenses to attend. A second was provided by Dr. King. The vote was, as follows:

Aye - David Allen, D.C. Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C. Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C. Aye -Mary Gayle Armstrong, M.D.

Cornerstone will be contacted and the board members will be advised.

XI. NEW BUSINESS

A. CONTRACT – CORNERSTONE CONSULTING GROUP

After discussions, the motion was made by Dr. Hoda, with a second by Dr. Henderson to approve the FY2024 contract. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

B. AMENDMENT TO PROFESSIONAL SERVICE CONTRACT – WILLIE WEBB, D.C.

The motion was made by Dr. Henderson, with a second by Dr. Armstrong to approve the FY2024 contract. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

C. CONTRACT – J-BAR AND ASSOCIATES, INC.

After discussions, the motion was made by Dr. Henderson, with a second by Dr. Hoda to approve the FY2024 contract. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

After discussion, Dr. Henderson made the motion, with a second by Dr. Hoda, to cover the expense in relocating the office of the MSBCE from Louisville to Morton on July 19 and 21, 2023,

not to exceed \$1,500.00. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

D. HYATT PLACE CONTRACT

After discussions, Dr. King made a motion to approve the contract for meeting space and hotel rooms with the Hyatt Place Ridgeland dated January 24, 2023.

Dr. Hoda provided a second. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

E. PROSONLTECH CONTRACT

After receiving an overview of the services provided by Andy Noel, the motion was made by Dr. Hoda with a second by Dr. King to approve the FY2024 system management agreement. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

XII. APPROVAL OF EXPENSES

After review, the motion was made by Dr. Henderson to approve the travel, per diem, meal, and accommodation and Hyatt Conference Room expense for this meeting. A second was provided by Dr. Armstrong. The vote was, as follows:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

XIII. OTHER

- A. Willie Webb presented an overview of claim reviewer hours reported by four (4) licensees. After review, the Board determined that based on the documentation provided by the reviewers, the hours were unsupported and did not meet the requirements for renewal.
- B. The motion was made by Dr. Hoda. With a second by Dr. Henderson to approve Jessica K. Wheat's preceptorship application, Dr. Brandon Hardin's doctor's application for preceptorship, and Misty Jenkins doctor's application for preceptorship. The vote was, as follows:
- | | |
|--------------------------------|---------------------------------|
| Aye - David Allen, D.C. | Aye -Desmond Hoda, D.C. |
| Aye - B. Tripp Henderson, D.C. | Aye - Felicia F. King, D.C. |
| Aye - S. Neely Berry, D.C. | Aye -Mary Gayle Armstrong, M.D. |
- C. The CE information received from the Tennessee Chiropractic Association regarding the Southern Chiropractic Conference to be held August 25-27, 2023 was given to Dr. King for her review and recommendation for consideration.

XIV. PUBLIC COMMENT

Dr. Allen called for public comments. Dr. Moore was present, made inquiries and received responses from the Board.

X. ADJOURNMENT

There being no further business to come before the Board, the motion was made Dr. Henderson, with a Second by Dr. Armstrong to adjourn the regular scheduled meeting of the Mississippi State Board of Chiropractic Examiners at 1:57 p.m.

APPROVED BY THE BOARD ON: October 26, 2023

By and on behalf of the Board Michael Allen D.C.